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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/584,223	05/17/2007	Junko Suginaka	80552(302741)	1304
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EDWARDS ANGELL PALMER & DODGE LLP			EXAMINER	
P.O. BOX 55874			CRANFORD, MICHAEL D	
BOSTON, MA 02205				
		ART UNIT	PAPER NUMBER	
		3695		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/584,223

Applicant(s)

SUGINAKA, JUNKO

Examiner

MICHAEL CRANFORD

Art Unit

3695

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/12/11.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6 and 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/23/06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-848)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This action is in reply to the RCE filed on 12 May 2011.
2. Claims 1, 2, 4-6 and 8 are currently pending and have been examined.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12 May 2011 has been entered.

Response to Arguments

Examiner finds arguments persuasive. The Examiner also chooses to reject Applicant's claimed invention with references of Norris (US 6,105,007 - herein referred to as Norris) in view of Lowe (US PGP 2006/0059013 A1 – herein referred to as Lowe).

Examiner also finds that the prior art of Fujisawa et al. (US 7,181,179 B2 – herein referred to as Fujisawa) discloses elements found in Applicant's claimed invention. Fujisawa discloses the following: A hand-held electronic device comprises an IC-card chip unit, a watch CPU, a power source unit, a display unit, and a switch connected between the power source unit and the IC-card chip unit. The watch CPU has a power supply controlling unit. The IC-card chip unit performs contactless data communication with an external transmitter-receiver in close range. The watch CPU operates on power from the power source unit, receives data from the IC-card chip unit to display the data on the display unit or to process the data before displaying them on the display unit. The power supply controlling unit closes a switch at least

during the period of time that the watch CPU receives data from the IC-card chip unit, thereby causing power to be supplied from the power source unit to the IC-card chip unit. [ABSTRACT] Examiner respectfully maintains rejections based on the information provided.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-2, 4-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris (US 6,105,007 - herein referred to as Norris) in view of Lowe (US PGP 2006/0059013 A1 – herein referred to as Lowe).
6. **Claim 1:**
Norris shown, discloses the following limitations:
 - *information storage means for storing personal information and electronic money information* (see at least column 8 lines 24-41)
 - *short-distance communication means for making short-distance radio communications in a noncontact manner* (see at least column 3 lines 10-27)
 - *pair relationship establishment means for receiving a pair relationship establishment request signal from a mobile terminal by said short-distance communication means and transmitting personal identification information to said mobile terminal by said short-distance communication means* (see at least column 2 lines 37-48)

- *information providing control means for receiving electronic money information from a financial institution terminal by said short-distance communication means to be deposited with electronic money and transmitting said electronic money information by said short-distance communication means to a mobile terminal with which said pair relationship has been established to make the mobile terminal pay with electronic money* (see at least ABSTRACT; see also column 2 lines 37-48; see also column 8 lines 24-41)

Norris does not expressly disclose ***wherein said personal information storage device is integrated with something that a user wears.***

However, Lowe does disclose an information storage device may be semi-permanently attached to a wearer. The device can include an outer casing configured to be compatible with long term contact with a human body. A data storage component may store information of the wearer and a transceiver may wirelessly communicate information from the data storage component. The stored information can be, for example, the complete medical history of the wearer, "emergency" medical information, prescriptions, medical warnings (e.g., past history of coronary problems), financial information, social security numbers, or other useful information. [ABSTRACT] A personal information storage device is described herein that is "permanently" or semi-permanently attached to the individual. Examples of such attachments include a subcutaneous chip, a false tooth or crown with embedded electronic intelligence, or jewelry (e.g., an earring) with embedded electronic intelligence. The device may communicate with external reader devices to convey the personal information of the individual. [0020]

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Norris and Pitroda with the practitioners own knowledge in order to disclose ***wherein said personal information storage device is integrated with something that a user wears,*** motivated by automatic financial account processing system and attached personal information device because this provides a way of wearing personal identification information in a stored capacity.

7. Claim 2:

Norris shown, discloses the following limitations:

- *information providing control means receives an electronic money increase request signal of a predetermined designated amount of money from said mobile terminal by said short-distance communication means* (see at least column 16 lines 65-66)
- *transmits an electronic money increase signal of said designated amount of money to a mobile terminal by said short-distance communication means* (see at least column 2 lines 37-48)

8. Claim 4:

Norris shown, discloses the following limitations:

- *short-distance communication means for making short-distance radio communications in a noncontact manner* (see at least column 3 lines 10-27)
- *user setting means for setting and storing personal information including electronic money information by receiving it by said short-distance communication means from said personal information storage device registered as having the pair relationship* (see at least column 2 lines 37-48)
- *use permission means for transmitting a use permission request signal to a personal information storage device set as having the pair relationship by said short-distance communication means, receiving a use permission signal from said personal information storage device by said short-distance communication means, and making this mobile terminal available to pay with electronic money* (see at least column 2 lines 37-48)
- *pair registration means for transmitting a pair relationship establishment request signal to a personal information storage device by said short-distance communication means, and registering said personal information storage device as having a pair relationship* (see at least column 2 lines 37-48)

Norris does not expressly disclose ***personal information storage device is integrated with something that a user wears receiving personal identification information from said personal information storage device by said short-distance communication means.***

However, Lowe does disclose an information storage device may be semi-permanently attached to a wearer. The device can include an outer casing configured to be compatible with long term contact with a human body. A data storage component may store information of the wearer and a transceiver may wirelessly communicate information from the data storage component. The stored information can be, for example, the complete medical history of the wearer, "emergency" medical information, prescriptions, medical warnings (e.g., past history of coronary problems), financial information, social security numbers, or other useful information.

[ABSTRACT] A personal information storage device is described herein that is "permanently" or semi-permanently attached to the individual. Examples of such attachments include a subcutaneous chip, a false tooth or crown with embedded electronic intelligence, or jewelry (e.g., an earring) with embedded electronic intelligence. The device may communicate with external reader devices to convey the personal information of the individual. [0020]

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Norris and Pitroda with the practitioners own knowledge in order to disclose ***personal information storage device is integrated with something that a user wears receiving personal identification information from said personal information storage device by said short-distance communication means***, motivated by automatic financial account processing system and attached personal information device because this provides a way of wearing personal identification information in a stored capacity.

9. **Claim 5:**

Norris shown, discloses the following limitations:

- ***electronic money increase means for designating a predetermined amount of money and transmits an electronic money increase request signal by said short-distance communication means to a personal information storage device set as having a pair***

relationship, receiving an electronic money increase signal of said designated amount of money from said personal information storage device by said short-distance communication means and stores it (see at least column 16 lines 65-66)

10. Claim 6:

Norris shown, discloses the following limitations:

- *pair registration means transmits a pair relationship establishment request signal addressed to an arbitrary personal information storage device, and said use permission means transmits a use permission request signal addressed to a specific personal information storage device* (see at least column 2 lines 37-48)

11. Claim 8:

Norris shown, discloses the following limitations:

- *pair registration means transmits a pair relationship establishment request signal addressed to an arbitrary personal information storage device, and said use permission means transmits a use permission request signal addressed to a specific personal information storage device* (see at least column 2 lines 37-48)

CONCLUSION

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Michael D. Cranford** whose telephone number is **571-270-3106**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Charles Kyle** can be reached at **571-272-6746**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents
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or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark**

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/ Michael Cranford / Examiner / Art Unit 3695 /
June 18, 2011

/HARISH T DASS/
Primary Examiner, Art Unit 3695